

Maritime Exchange for the Delaware River and Bay

Agents/Operators Committee Meeting

April 10, 2007

Minutes

Attendees:

Barthco Int'l	George Sibley	US Coast Guard	Ted Harrop
Delaware Valley Marine	Jean Cureton		Kyle McAvoy
GAC Rice, Unruh	Scott Miller		Ben Robinson
General Steamship	Dominic Colella		Lamont Bazemore
Hamburg Sud	Daniel Zeoli		Spencer Wood
ICL	Bob Anderson	US CBP	Bill Brush
John A. Steer	John Greenlee		Al Martocci
Kerr Norton Strachan	John Murphy	US FDA	Tom Gardine
NJ State Police	Brian McGuire		Parenti Ottavio
Maritime Exchange	Lisa Himber		
	Darleen Michalak		
	Dennis Rochford		

On behalf of Chairman Tom Johnston, Lisa Himber, Vice President, Maritime Exchange welcomed the group and led introductions.

Committee Name Change

Because of the diversity of issues on the Committee agenda and the number of involved stakeholders, the members agreed to change the name to better reflect the scope of issues addressed through this forum. Moving forward, the committee will be known as the Maritime Operations Committee.

Maritime Security Initiative

Tpr I. Brian McGuire, New Jersey State Police Marine Services Bureau, Homeland Security Branch delivered a presentation to the group addressing changing trends in terrorism and criminal activity. The mission of the NJ State Police Marine Services Bureau is to gather intelligence of possible terrorist or criminal behavior.

The presentation focused on reporting suspicious activity to the Statewide Intelligence Management System (SIMS). SIMS is a database used to collect and share information on suspected involvement in all types of criminal activity. SIMS allows agencies to store intelligence for their own use or for the use of the broader law enforcement community. Tpr McGuire requested the group to report any suspicious activity at waterfront facilities by accessing the following web page: <http://www.state.nj.us/njsp/maritime/msi.html>.

FDA Philadelphia Office Closure

The FDA is considering closure of the Philadelphia Laboratory and consolidation with other laboratories outside of the Delaware River port. Dennis Rochford initiated the discussion indicating the closure would be devastating to Delaware River cargo movement. The Maritime Exchange sent a letter to the FDA Administrator objecting to the closure/consolidation. George Sibley read a letter the Broker's Association sent to the FDA Administrator also strongly objecting to the closure/consolidation. The concerns are that the Delaware River port will not receive the same level of service if consolidated with other larger ports. Currently, the Delaware River port receives full responsiveness from local FDA. Information flows to all concerned with little delay or holds on vessels. Both letters are available on the Maritime Exchange web site at: <http://www.maritimedelriv.com/membership/maritimeops.htm>.

Tom Gardine spoke on behalf of the FDA and indicated that the FDA has 13 labs including the Philadelphia lab and the number is scheduled to be reduced to 6. Mr. Gardine stated that the last major reorganization of the FDA was in the 60s and in order to remain efficient, restructure is needed. He explained that pharmaceutical samples from Philadelphia are sent to Seattle, produce to Atlanta and cocoa and other products are not being examined in Philadelphia but at other location labs. If a certain lab gets backlogged, instructions are sent to ship the samples to another mega lab. Mr. Gardine feels that it is not even noticed that samples are already being sent to other locations.

Mr. Gardine stated the consolidation will bring consistency to the agency. Ottavio Parenti will remain in Philadelphia and report electronically to another FDA office. Entry review will be done here in Philadelphia but they may do entry reviews for other ports as well.

Mr. Rochford replied that the Delaware River port community will remain strong in its demands for the same level of service we have today. Although FDA may want to "level the playing field" among its operations at U.S. ports, we have no intention of accepting a decrease in the level of excellent service we currently receive so that it is consistent with the service provided at other ports.

Mr. Gardine said the goal of the FDA is to do better operationally and has an ambitious deadline of October 1, 2007 to have the new structure in place. Concerns about the closure/consolidation should be directed to the FDA Administrator.

The Committee will follow-up with communications to the FDA and will forward copies to the local FDA office.

CBP Update

1. Gate-outs – Al Martocci reported that since the CBP Directive concerning Gate-outs (release of cargo from terminal without proper CBP authorization), terminal facilities have gotten access to the Automated Manifest System (AMS) to review CBP cargo release status. He was pleased to report that the Delaware River port has not had a Gate-out incident since October 20, 2006. He contributes no Gate-outs to CBP outreach to terminals, Maritime Exchange efforts to help

terminals get access to AMS through TRACS, and Vehicle and Cargo Inspection System (VACIS) container examinations.

Coast Guard Updates

1. Ports, Waterways and Coastal Security Boarding Standards – CDR Wood stated that the CG has a targeting system in place and tries to do off-shore boardings whenever possible. Due to the CG loss of reservist personnel and the hazards of night boardings for the CG team, Sector Delaware Bay is considering coordination of “Daylight Hour Only” boardings. Many other ports already only do daylight boardings. CDR Wood is requesting comments from the port industry on this issue. Please forward any comments/concerns as soon as possible to Darleen Michalak at dmichalak@mxops.org and we will forward them to CDR Wood and LCDR Blazemore.

Some concerns were voiced at the meeting. Jean Cureton and Scott Miller indicated that daylight only boardings for oil tankers will not work since the vessel has to come in on the tide.

John Murphy expressed concerns that maiden voyages for major steamship lines (e.g., Maersk) are targeted simply because they are brand new vessels at a US port for the first time. He requested notification so the agent can call the terminal in advance to delay labor and avoid delay costs in excess of \$30,000. CG indicated that at the national level, they are trying to coordinate and schedule boardings to solve such problems. The group was reminded that CG cannot give 24 hour advance notification for security boardings for security reasons.

CAPT Harrop indicated Coast Guard is also looking to station permanent boarding teams down at the Bay, which should save a great deal of time.

2. Vessel Detention Notifications – LTJG Ben Robinson reported that traditionally vessels detained under IMO port state authority were also issued by a COTP Order. The COTP Orders will no longer be issued for every detention. Agents will know of the detention by the Boarding Report, Code 30 - IMO Detainable, as well as being copied on the letter sent to notify the vessel's flag state of the detention. When requirements are met, the vessel will be released and noted on the Boarding Report.

3. Letter of Deviations – LTJG Robinson also reminded the members that including information on non-operational navigation equipment on the Notice of Arrival (NOA) alone does not meet the requirements for reporting to the COTP. Additionally, Sector Delaware Bay will soon be releasing a Request for Deviation form for vessels with non-operational equipment. This request form will fulfill the requirement for written notification to the COTP on non-operation navigation equipment.

4. Transportation Workers Identification Credential (TWIC) Update – The latest information on the enrollment date is late spring. The Port of Wilmington, DE will be the first and the locations for enrollment centers are not know yet.

A question was raised as to whether the TWIC will replace the terminal gate list. Lisa Hember indicated that Jim Von Dreele heads the Sub-Committee of the Area Maritime Security

Committee that will address access control issues. Concerned members should contact either Lisa Hember or Fr. Von Dreele.

Adjournment: The next Agents/Operators Committee meeting will be held in the fall of 2007.